

REMARKS/ARGUMENTS

Claims 1-42 are currently pending in this application. By this Amendment, claims 33-35 have been amended to cancel a typographical error, and new claims 37-42 have been added. Support for these claims may be found at least in previously presented claims 6-9 and 27-28. No new matter is added. Applicants respectfully request reconsideration of this application based on the above amendments and the following remarks.

The courtesies extended to Applicants' representative by Examiner Ajayi during the telephone interview held on December 16, 2008, are greatly appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

Claim Rejections – 35 USC § 102 and § 103

The Office Action rejects claims 1-25 and 27-32 under 35 U.S.C. §102(e) as being anticipated by Naghian (US 2003/0235175); and rejects claims 26 and 33-36 under 35 U.S.C. § 103(a) as being unpatentable over Naghian in view of Juitt. (US 7,042,988). Applicants respectfully traverse these rejections, as follows.

Claim 1 recites, *inter alia*, "wherein the ad hoc network comprises two clusters, each cluster comprising at least one member terminal slaved to a master terminal, and an inter-cluster link formed by an *inter-cluster bridge terminal that is a member of both clusters*" (emphasis added). Independent claims 12, 25-26, and 31-36 recite similar features.

In rejecting claim 1, the Examiner appears to allege that routers 125_{D-F}, as described in paragraph [0080] with reference to Fig. 1 of Naghian, correspond to the claimed "intra-cluster bridge terminal." Applicants respectfully disagree.

Naghian, with reference to Fig. 1, discloses a mobile IP network 100 including two separate groups of mobile nodes MNs 105-107 and MNs 108-111, each group forming its respective ad-hoc network (see paragraph [0077], lines 14-17). Routers 125_{D-F}, which are shown as part of a core network 120, are not part of the two ad-hoc networks. Naghian specifically states that routers 125_{D-F} "connect . . . support nodes in the network" (see paragraph [0080], line 3). The support nodes, such as Serving General Packet Radio Service Support Node (SGSN) 115 and Gateway GPRS Support Nodes (GGSN)s 135_{A-B}, send/receive data from the mobile nodes

MNs or act as wireless gateways to data networks for the mobile nodes MNs. The support nodes 115 and 135_{A-B} are also not part of the two ad-hoc networks.

Claims 1, 12, 25-26, and 31-36 recite “wherein the ad hoc network comprises two clusters, . . . and . . . an *intra-cluster bridge terminal that is a member of both clusters.*” That is, the present claims state that the intra-cluster bridge terminal is a part of the ad-hoc network. The routers 125_{D-F} of Naghian are not part of either of the two ad-hoc networks formed by MNs 105-107 and MNs 108-111, and thus, they do not and cannot correspond to the claimed intra-cluster bridge terminal.

During the December 16, 2008, interview, the Examiner further asserted that the trunk node, as described in paragraph [0028] of Naghian, corresponds to the claimed intra-cluster bridge terminal. Applicants respectfully disagree. As discussed in the interview, in paragraph [0028], with reference to Fig. 4, Naghian states that an ad-hoc network 430 consists of a number of clusters of ad-hoc terminals forming ad-hoc subnetworks, and that each ad-hoc cell may have at least one terminal as the trunk node. Naghian describes the trunk node as a gateway between an access network 420 and the “child” terminals of the ad-hoc cell. As shown in detail in Fig. 3 of Naghian, each trunk terminal belongs to its own particular ad-hoc cell. For example, trunk terminal 330A belongs to ad-hoc cell 350, and trunk terminal 330B belongs to ad-hoc cell 351. In other words, each ad-hoc cell has its own dedicated trunk terminal. No two ad-hoc cells have a single trunk terminal that is a member of both ad-hoc cells. Unlike the trunk terminals of Naghian, the claimed intra-cluster bridge terminal is a member of both clusters.

Accordingly, Applicants respectfully submit that Naghian fails to disclose or suggest at least the features recited in claims 1, 12, 25-26, and 31-36.

A single prior art reference anticipates a patent claim only if it expressly or inherently describes *each and every* limitation set forth in the patent claim. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 129, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the . . . claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Secondary reference Juitt, either individually or in combination with Naghian, also fails to disclose or suggest an intra-cluster bridge terminal that is a member of both clusters, as recited in claims 1, 12, 25-26, and 31-36, and as such, fails to make up for the deficiencies of Naghian.

In accordance with the above remarks, Applicants respectfully submit that Naghian and Juitt, either individually or in combination, fail to disclose or suggest at least the features recited in claims 1, 12, 25-26, and 31-36.

Accordingly, Applicants submit that claims 1, 12, 25-26, and 31-36 define patentable subject matter. Claims 2-11, 13-24, 27-30, and 37-42 depend from claims 1 and 12, respectively, and therefore, also define patentable subject matter.

New Claims 37-42

Applicants have added new claims 37-42 to recite subject matter to which they are entitled. As noted above, these new claims are fully supported throughout the Specification.

Additionally, claims 37-42 are allowable, as there is no combination of the cited references that discloses or suggests the subject matter recited by these claims.

In particular, claims 37-42 respectively depend from independent claim 31, which is believed to be patentable over any combination of the cited references, as discussed above. Thus, for at least the same reasons, claims 37-42 are also non-obvious and patentably distinguishable over the cited prior art references.

Further, claims 37-42 recite subject matter not disclosed or suggested by any combination of the cited references. For example, there is no combination of the cited references that discloses or suggests a processor wherein the second module is further configured to establish the route for each of the communication packets transmitted from the second terminal to the third terminal during the inter-cluster call by communicating with the master terminal mapped to the adjacent cluster corresponding to the selected one of the primary and secondary routes to support intra-cluster scheduling and forwarding of such communication packet from the second terminal to the transmitting gateway mapped to such corresponding adjacent cluster, as recited in claim 42. Claims 37-41 also recite subject matter not disclosed or suggested by any combination of the cited references.

Therefore, Applicants respectfully request that the Examiner allow claims 37-42.

Application No. 10/809,997
Amendment dated December 23, 2008
Reply to Final Office Action of September 4, 2008

CONCLUSION

In light of the above, Applicants submit that the application is in condition for allowance, for which early action is requested.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

Dated: December 23, 2008

By: 

Florin C. Corie, Reg. No. 46,244
Direct: 858.658.3663

QUALCOMM Incorporated
Attn: Patent Department
5775 Morehouse Drive
San Diego, California 92121-1714
Telephone: (858) 658-5787
Facsimile: (858) 658-2502